

Amendment and Response- Under 37 C.F.R. §1.116 - Expedited Examining Procedure

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Serial No.: 09/560,268

Confirmation No.: 2517

Filed: April 26, 2000

For: COMPOSITIONS FOR SELECTIVELY ETCHING AGAINST COBALT SILICIDE (As Amended)

### Remarks

The Office Action mailed 9 March 2004 has been received and reviewed. Claims 64 and 94 have been amended. Further, claims 97-102 have been added. Therefore, claims 64-65, 67-76, 89-90, 92-95, and 97-102 are pending in the present application. Reconsideration and withdrawal of the rejections are respectfully requested in view of the above amendments and the following remarks.

### The 35 U.S.C. §103 Rejection

The Examiner continues to reject claims 64-65, 67, and 94-95 under 35 U.S.C. §103 as being unpatentable over Nakano (U.S. Patent No. 6,110,839), Shiramizu (U.S. Patent No. 6,116,254), and Wei (U.S. Patent No. 4,350,564). Applicants respectfully traverse such rejections. Applicants submit that the remarks provided in response to similar prior rejections is sufficient to overcome this rejection. However, to move this case to issuance, Applicants have amended the claims to include limitations consistent with the Examiner's allowance of other claims pending in the application. For example, certain etch rates have been added to the rejected claims. As such, it is believed that such rejected claims are also in condition for allowance and the Examiner's rejection is moot. As such, no further detail and specific comments regarding the Examiner's rejections are provided.

Further, Applicants have added several new claims to more completely claim the present invention. Such new claims also include certain etch rate limitations consistent with the Examiner's allowance of other claims pending in the application. For example, new independent claim 98 is substantially the same as claim 94 except that the specified etch rate is for metal nitride as opposed to cobalt.

In view of the amendments, all the pending claims are deemed to be in condition for allowance. If such is not the case, it is requested that the Examiner contact Applicants' representative to discuss any further objections or rejections such that the case can be moved to issuance.

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It is respectfully submitted that the pending claims are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted for  
Lee et al.

By  
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10 May 2004  
Date

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**CERTIFICATE UNDER 37 CFR §1.8:**

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10<sup>th</sup> day of May, 2004, at 11:40pm (Central Time).

By: Sara E. Olson  
Name: Sara E. Olson